

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: March 25, 2011
POSITION: Oppose

BILL NUMBER: AB 918
AUTHOR: M. Block

BILL SUMMARY: Crimes: Felonies

This bill would add pimping, pandering, and human trafficking to the list of offenses that may be used to enhance the sentence of any person who commits a crime for the benefit of a criminal street gang.

FISCAL SUMMARY

No data is available to indicate the number of individuals who would receive enhanced sentences as a result of this bill and serve additional time in state prison. To the extent that this bill increases the time served in state facilities, it would result in additional General Fund costs of approximately \$50,000 for each additional year that an inmate is incarcerated.

Any local government costs resulting from the mandate in this measure would not be state-reimbursable because the mandate only involves the definition of a crime or penalty for conviction of a crime.

COMMENTS

The Department of Finance is opposed to this bill because it could generate additional General Fund costs by expanding the list of offenses that may be used to enhance the sentence of any person who commits a crime for the benefit of a criminal street gang.

Existing law makes it a crime, for any person who actively participates in any criminal street gang with knowledge that its members engage in or have engaged in a pattern of criminal gang activity, and who willfully promotes, furthers, or assists in any felonious criminal conduct by members of that gang.

Existing law defines "a pattern of criminal gang activity" as the commission of, attempted commission of, conspiracy to commit, or solicitation of, sustained juvenile petition for, or conviction of, two or more listed offenses.

This bill would add pimping, pandering, and human trafficking to the list of offenses that may be used to establish a pattern of criminal activity for the purpose of enhancing the sentence of any person who commits a crime for the benefit of a criminal street gang.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO	PROP							Fund
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013	Code
8885/Comm St Mndt	LA	No	-----	No/Minor Fiscal Impact				-----	0001
5225/Corr & Rehab	SO	No	-----	See Fiscal Summary				-----	0001

Analyst/Principal (0236) A. Jarvis	Date	Program Budget Manager Todd Jerue	Date
---------------------------------------	------	--------------------------------------	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

